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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James Versalovic et al.

Filing Date: 01/29/04

Serial No. 10/767,317

Art Unit: 1651

For: ANTI-INFLAMMATORY ACTIVITY FROM LACTIC ACID BACTERIA

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**RESPONSE TO RESTRICTION REQUIREMENT AND
AMENDMENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of June 21, 2006, requiring election of claims in the above-referenced patent application, Applicant hereby elects **Group II** (claims 8-12) drawn to a bacterium, without traverse. In order to make possible rejoinder of process claims under MPEP § 821.04 in the event of allowance of the elected product claims, Applicant also hereby amends the process claims corresponding to the originally submitted process claims to include the limitations of the elected product claims herein. Applicant expressly reserves the right to file divisional application(s) on all non-elected claims, including especially the right to file divisional applications on the original process claims.